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August 28, 2009

The Honorable William H. Pauley
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

VIA ECF (w/o enclosures)

RE: Smith v. National Basketball Association, et al.
U.S.D.C., S.D.N.Y., 08-CV-7888 (WHP) (RLE)

Dear Judge Pauley:

We represent the Plaintiff in the above referenced case. We are required to file our motion papers with Your Honor via ECF. However, due to the inclusion of confidential materials in Plaintiff's Memorandum of Law and 56.1 Counter-Statement, such enclosures have already been hand-delivered to the Court, as well as personally delivered to the Defendants. Delivered were:

1. Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment.
2. Plaintiff's 56.1 Counter-Statement of Non-Disputed Facts Responding to the Statement of Defendant.

I thank Your Honor for your time and consideration.

Respectfully submitted,

AKIN & SMITH, LLC

Ismail S. Sekendiz, Esq.